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PRIVACY POLICY OF THE BRAZILIAN BIODIVERSITY FUND - FUNBIO

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Area Responsible: Data Protection Officer - DPO

OBJECTIVE:

To present the norms for personal data-processing

ORGANIZATIONAL SCOPE:

Brazilian Biodiversity Fund



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This policy applies to the whole organization, and all custodians and operators of data processing activities.

VALIDATION

Current version	Action	Date
1	Approved	Nov xx 2020
	Effective as of	Nov xx 2020
	Up for review	July 2021

CONTROL OF VERSIONS

Version	Date	Drafted by	Status
0.1	12/11/2020	Flavia Neviani	1st Minute
0.2	19/11/2020	Alexandra Viana Monica Ferreira Vinicius Barbosa Paulo Miranda and Flavia Neviani	Revised
0.9	19/11/2020	Flavia Neviani	Submitted
1	21/11/2020	Rosa Lemos de Sá	Revised
1	26/11/2020	Deliberative Board	Approved

RELATED DOCUMENTS:

- Code of Ethical Conduct;
- Funbio's Employee Manual;
- Funbio's Data Security Policy P003/2007

CONTACT:

Brazilian Biodiversity Fund



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Funbio's Data Processing Officer can be contacted at: privacidade@funbio.org.br

Privacy: This document is public and available for consultation on the Funbio website. It cannot be edited or altered without express consent.

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I. INTRODUCTION

1. Information-exchange within the digital environment as the current reality under which the most varied human activities are conducted within the scope of our socioeconomic relations requires the establishment and adoption of definitions and regulations concerning data ownership and traffic, the receipt and/or supply of data to and by clients, customers, suppliers, partners, employees, and outsourced personnel, and the manner in which that data is processed, ie, stored, used and/or shared.
2. Technological trends within the wider environment generated by the internet-of-things, artificial intelligence, robotization and automatization, big data, blockchains and other such developments are transforming our economic, social and political processes and effecting an ongoing and continual transformation in business models; the way products and services are provided, personalized and tailored; and forms of participation, culminating in unexpected and commensurately wide-ranging impacts with regard to data security, privacy and exclusion from use.
3. Funbio is deeply committed to handling data in the safest and securest possible way, adopting cryptography, personal, nontransferable passwords, centralizing passwords under a single IT infrastructure administrator and establishing a firewall, among other best practices in the area of security.
4. Within this context, and to ensure alignment between its external and internal personal data-handling practices, Funbio is supplementing its Data Security Policy - P 003/2007 with the following Privacy Policy.
5. This policy is informed by Brazilian Law 13,709/2018, aligned with the standards adopted throughout Latin America and Europe, especially the European Union's General Data Protection Regulation 2016/679 (GDPR), issued by the European Parliament on April 27, 2016, and widely accepted as a benchmark in international best practices.
6. It is the role and duty of Funbio's Data Protection Officer (DPO) to serve as a channel of communication between the controller, data subjects, and the

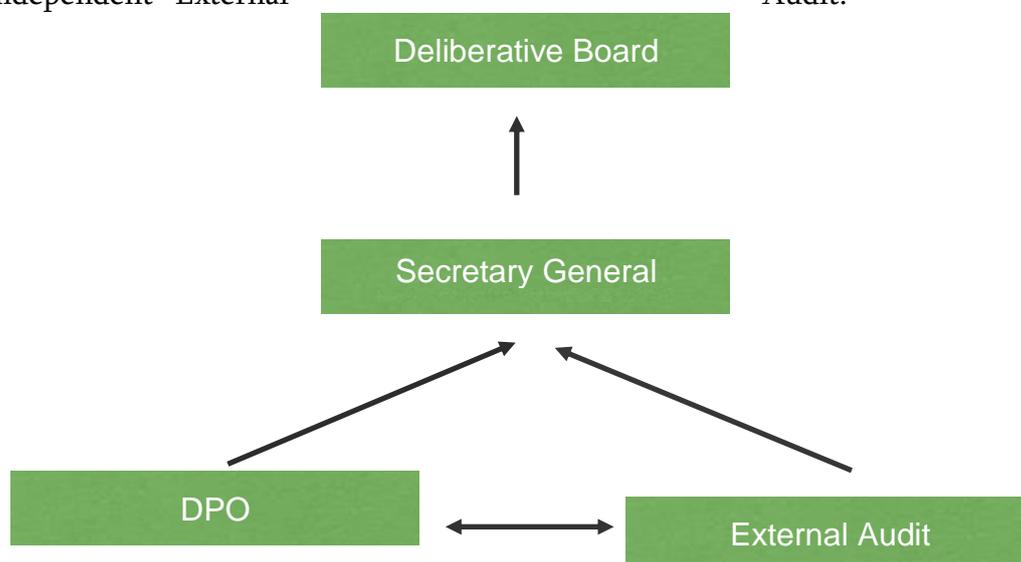


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National Data Protection Authority (ANPD), and the position is endowed with full autonomy to fulfill this function, without conflict of interests, reporting directly to the Secretary General and indirectly to Deliberative Board.

II. ORGANIZATION

1. Controller-CEO-Secretary General—the decision-maker in all data processing matters.
2. DPO—located within Fubio’s Internal Auditing department—this figure is responsible for all data-processing management and the upkeep of Data Processing Operations Records, as well as for providing operators with thorough data management protocols pertaining to their area of activity. The DPO must render appropriate account to the Annual Independent External Audit.
3. Operator (Processor)—any member of staff who processes personal data on behalf of the controller.
4. The following line of communication must be established:
 1. The Controller and Operator will consult the DPO on all personal data processing-related issues in an opportune manner.
 2. The DPO’s processes and activities will be submitted for appraisal by the Annual Independent External Audit.



III. GLOSSARY

1. **Personal Data:** any information related to an identified or identifiable individual.
2. **Sensitive personal information (Special Category Data):** any personal information identifying an individual's racial or ethnic origin, religious or philosophical beliefs, trade-union membership, political opinions, genetic data, biometric data, data concerning health, sex life or sexual orientation.
3. **Database:** a structured set of data held in a computer, especially one that is accessible in various ways.
4. **Processing:** any operation or set of operations which is performed on personal data or sets thereof, such as collection, recording, reception, organization, structuring, storage, access, reproduction, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.
5. **Data Storage:** Conservation or custodianship of data in a database, established by whatever means, including on information technology platforms.
6. **Data Subject:** the person to whom the processed data refers.
7. **Database Custodian:** person or entity, whether public or private, commercial or non-profit, that undertakes to store and secure data as a database.
8. **Line of responsibility:** in Funbio's case (a) Operator (Processor), the person who collects and has access to all personal data received by Funbio; (b) Controller, the person responsible for decision-making on all matters pertaining to personal data processing; and (c) Data Processing Officer, the person responsible for managing the implementation of/compliance with this Policy.
9. **Data transfer:** diffusion, dissemination, communication, exchange, sharing, and/or transmission, by whatever means, from one point to another, involving or not involving geographical borders, of data of any kind referring to third-parties (individuals or legal entities).

IV. PRINCIPLES



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In compliance with national and international legislation, Funbio recognizes and upholds a series of principles in the way it processes personal data:

1. **Principle of lawfulness, fairness and transparency:** all personal data must be processed lawfully, fairly and transparently, in accordance with nationally and internationally recognized human rights and freedoms.
2. **Principle of purpose limitation:** data should only be collected for a specified, explicit and legitimate purpose and those processing that data must abstain from any handling not in-line with the purpose for which the data was collected, unless otherwise authorized to do so by the data subject.
3. **Principle of adequateness/necessity/proportionality/and the inviolability of privacy, honor and personal image (Data Minimization):** data processing must be restricted to information that is adequate, relevant and absolutely necessary for the purpose.
4. **Principle of accuracy:** those responsible for data-processing must ensure that the data collected and stored is accurate, and therefore update said data as required.
5. **Principle of consent and self-determination:** As the right to have one's personal information protected resides in the control the subject has over how that data is handled, consent demonstrates the most effective expression of the data subject's will and, consequently, is the controller's legitimate cause for collecting it. This consent must be prior, informed, freely and unequivocally given, without charge, and can be revoked by the subject or his/her legal representative at any time, without further condition.
6. **Principle of responsibility and security (accountability):** those responsible for processing data must adopt the security measures necessary for the fulfillment of the established principles and duties, using all the technical and administrative means required to secure and protect personal data from unauthorized access or accidental or illicit events causing its loss, alteration, transmission, dissemination or disclosure. To this end, verifiably effective measures must be taken to guarantee compliance with personal data-protection norms.

V. IMPLEMENTATION PROTOCOL

In compliance with the letter of Law 13,709/2018, Funbio has drafted the present Privacy Policy, under the following terms:



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1. RESPONSIBILITY FOR PERSONAL DATA:

For the purposes of the present Privacy Policy, Funbio declares itself fully responsible for processing and protecting personal and sensitive information. Funbio has created an e-mail address, privacidade@funbio.org.br, exclusively for contact concerning issues related to this Policy. A member of the Internal Auditing team designated responsible for personal data-processing procedure will receive and answer queries sent through the e-mail privacidade@funbio.org.br.

2. PERSONAL DATA PROCESSING:

2.1 Funbio collects some personal data for the reasons outlined in this Privacy

Policy. In this context, we offer our assurance that all personal data will be processed and protected in accordance with the principles of legality, accuracy, consent or self-determination, purpose limitation, fairness, and proportionality/inviolability of privacy, honor and personal image, as determined by Law 13,709/2018, other regional and European regulations, and international data-protection best practices.

2.2 Funbio will keep up-to-date electronic records of all data-processing operations, as so obligated under Article 37 of Law 13,709/2018.

3. PURPOSE AND USE OF PERSONAL DATA:

3.1. This policy is designed to protect the fundamental rights of liberty and privacy, and freedom of expression, as per Law 13,709/2018, promulgated on August 14, 2018, and to serve as a guide for the implementation of best practices in its dealings with its public.

3.2. All data Funbio collects is processed in the utmost confidentiality, unless otherwise established under the terms of this Privacy Policy, and in compliance with the security measures required to ensure its protection and usage limited to the purpose for which it was gathered. Provision of data automatically implies consent that it be used for the following purposes:

3.3. Primary ends:

- To identify the subject as a partner, supplier, investor, person or company under contract, beneficiary; recipient of assets, transportation costs, services and resources; employee, grant holder, etc.



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- To obtain contact information for the delivery of contracts and goods; receipt of resources and/or services, and to send relevant information about Funbio's activities and dealings with the data subject;
- For use by systems engaged in activities relating to the data subject's dealings with Funbio;
- To facilitate integration between systems engaged in activities relating to the subject's dealings with Funbio;
- To answer queries, provide assistance and carry out activities relating to the subject's dealings with Funbio;

Secondary Ends:

- To obtain contact information so Funbio can send newsletters and inform the subject of events organized by Funbio or its partners;
- To run analytics that do not identify the subject personally.

4. IDENTIFICATION:

For the Primary ends:

- Name
- Date of birth
- Occupation
- Civil status
- Official ID (social security number/civil service registration number/passport)
- Curriculum vitae
- E-mail

For the Secondary ends:

- Race/ethnicity



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- Gender

5. CONTACT INFORMATION:

- Address (street and number, city/town, country, postal code)
- Telephone numbers
- E-mail
- Social media

6. BANK DETAILS

- Account number and name
- Bank number, bank name, agency code, address

7. WAYS AND MEANS OF COLLECTING PERSONAL DATA

Whether gathered by physical means, over the telephone, via internet, or other electronic medium, the personal data Funbio collects, and which is necessary to its activities, or result therefrom, will be collected in one of the following ways:

- Directly from the data subject
- Through forms the data subject agrees to fill in, whether on the Funbio website, sent by email or made available on some other IT system or platform.

8. TRANSFER OF PERSONAL DATA

- 8.1 Funbio will not alter, share, publish, disclose, concede or sell any personal data to third parties.
- 8.2. Funbio can only transfer personal data, with or without prior consent, under the following circumstances:

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- When obliged to do so under court warrant, or when necessary for the establishment, exercise or defense of legal claims.
- When the recipients of the transferred data are donors, funding sources, or governmental executing organs, the Public Prosecutors Office, external consultants under the same control as Funbio, and so operating under the same internal processes and policies, or authorities with a bearing on the management of Funbio's activities.
- In response to legal/regulatory requirements.
- In the performance of a contract to which the data subject is a party.
- Other exceptions outlined in Brazil's General Data Protection Law.

8.3 Funbio is committed to respecting the legal principles for the protection of personal (individual and/or company) data and its transmission.

9. METHODS FOR PROTECTING PERSONAL DATA FROM USE OR DISSEMINATION

9.1 Funbio will implement the technical, administrative, and physical security measures required to secure the personal data it harvests and protect it from damage, loss, alteration, destruction or unauthorized use, access or handling.

9.2 Only personnel authorized to do so may participate in the processing of personal data. Authorized personnel are forbidden to allow unauthorized individuals to access personal data, or make any use of that data that deviates from the purposes outlined in this Privacy Policy. The non-disclosure obligation data-processing officers assume outlasts, and is not dependent on, any other contractual obligations or ties they may have to Funbio.

9.3 Each administrative and programmatic unit must only use institutional tools and software approved by Funbio and managed by its IT team, so that the proper security controls can be applied to all databases created after the date of approval of this Policy. Personal accounts or unapproved digital platforms cannot be used to collect or create protected data.

9.4 The users of Funbio's systems are obliged to observe acceptable security standards in their use of Funbio-approved/operated accounts, systems and equipment so as to maintain and guarantee the security of its information and databases. This includes, but is not limited to, the use of randomly-generated passwords; never sharing or revealing passwords; never sharing or disclosing information with third parties unless authorized to do so; among other steps to avoid imperiling Funbio's information security.



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9.5 Furthermore, should Funbio's institutional accounts or IT equipment be breached by some form of hack or attack, the interested party will inform the IT team immediately, so that the proper measures can be taken to restore security and control.

10. IMPLEMENTATION PROCEDURES

10.1 When this Privacy Policy enters its implementation phase, an e-mail (from privacidade@funbio.com.br) will be sent out to all subjects whose data Funbio stores, informing them of the Policy and Funbio's adoption of the **principle of consent, or the right to informational self-determination**.

10.2 Should subjects not wish their data to be used for the secondary ends listed above, they can email Funbio at privacidade@funbio.org.br to have the data removed.

VI. THE RIGHTS OF THE DATA SUBJECT AND PROCEDURES

1. As the owner of the information discussed in this Privacy Policy, the data subject has the right to know which data will be stored, to what ends it is used, and under what conditions. As such, the subject is entitled to revoke consent at any time, thereby deauthorizing us to store and use their personal information. However, this right to revocation only holds in the absence of any current contractual obligation to Funbio, legal obligation to the contrary, regulatory or contractual obligation to Funbio's funding sources, or other legal requirement (to the tax office, labor law courts, pension system) concerning the activity that generated the data in the first place. The subject can revoke consent at any time by contacting Funbio at privacidade@funbio.com.br.
2. The subject holds rights of Access, Rectification, Cancellation and Opposition. Funbio can request that the claimant provide proof of authenticity.
3. Under right of access, the data subject should contact Funbio by e-mail, detailing precisely the personal information to which he or she would like access. Similarly, the data subject can write to us requiring rectification or cancellation, and expressing opposition to our handling of personal data. Any such communication should include:
 - 3.1. The name and address of the data subject, or other means of contact so we can forward our response.
 - 3.2. Documents that prove the data subject's identity or, if the case may be, legal right to act on the subject's behalf.



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3.3 A clear and precise description of the data over which the subject wishes to exercise the right.

3.4 Any other element or document that facilitates the localization of said personal data.

4. In accordance with Article 19 of Law 13,709.2018, Funbio will contact the claimant within a period of fifteen (15) days after receipt of the written request.

5. Funbio will contact the claimant within a period of thirty (30) days after receipt of a written request for cancellation, rectification or opposition, informing the subject of its decision. Decisions must be acted upon within a further period of fifteen (15) days.

6. Data subjects may revoke or limit Funbio's use or dissemination of personal information by sending a written request to the following email address: privacidade@funbio.org.br. If the request is deemed adequate and legitimate, the data will be erased from the database.

7. Funbio will respond to any such request within a period of thirty (30) days after receipt of the initial request to inform the subject as to the origin of the data in question.

8. Additional rights of the subject are:

- The Right to be Informed: In the event of security breaches, leaks or other exposure, Funbio will inform the user as to the vulnerability and its nature within the period of ten (10) days after the event first comes to light.
- Right to Suppression: The user can request that personal data be suppressed when, among other reasons, it is no longer needed for the ends for which it was collected, and the standard retention periods have elapsed.

9. These rights can be exercised at any time by written request to Funbio at privacidade@funbio.org.br, as per items VI 4 to 8 above.



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10. In accordance with Article 16 of Law 13,709/2018, data that is otherwise restricted as per the subject's request may be maintained for the exclusive use of the controller vis-a-vis its legitimate interests.¹

VII. MODIFICATIONS TO THIS PRIVACY POLICY

1. Funbio reserves the right to revise and alter the present Privacy Policy if and when necessary, for example, in the event of changes in the prevailing legislation on personal data processing, or in response to internal policy. Should any changes arise, or any further consent be required, the Privacy Policy will be updated accordingly.
2. A current version of this Privacy Policy will be made available for public consultation as follows:
3. Under the section titled Privacy Notice on the Funbio website: www.funbio.org.br.
4. By e-mail to the most recent address in our contacts list.

¹Law 13,709/2018 — **Art. 16.** Personal data shall be deleted following the termination of their processing, within the scope and technical limits of the activities, but their storage is authorized for the following purposes:

I – compliance with a legal or regulatory obligation by the controller;

II – study by a research entity, ensuring, whenever possible, the anonymization of the personal data;

III – transfer to third parties, provided that the requirements for data-processing as provided in this Law are observed; or

IV – exclusive use of the controller, with access by third parties strictly forbidden, and provided the data has been anonymized.